

(2) any individual who has materially assisted, sponsored, or provided financial, material, or technological support for, or goods or services in support of, an act described in paragraph (1).

(b) Sanctions described

(1) In general

The sanctions described in this subsection are the following:

(A) Asset blocking

The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of a person determined by the President to be subject to subsection (a) if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) Exclusion from the United States and revocation of visa or other documentation

In the case of an alien determined by the President to be subject to subsection (a), denial of a visa to, and exclusion from the United States of, the alien, and revocation in accordance with section 1201(i) of title 8, of any visa or other documentation of the alien.

(2) Penalties

A person that violates, attempts to violate, conspires to violate, or causes a violation of paragraph (1)(A) or any regulation, license, or order issued to carry out paragraph (1)(A) shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(3) Exception relating to the importation of goods

(A) In general

The authority to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(B) Good defined

In this paragraph, the term “good” has the meaning given that term in section 4618 of title 50 (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(4) Exception to comply with United Nations headquarters agreement

Sanctions under paragraph (1)(B) shall not apply to an alien if admitting the alien into the United States is necessary to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, be-

tween the United Nations and the United States, or other applicable international obligations.

(c) Waiver

The President may waive the application of sanctions under subsection (b) with respect to a person if the President—

(1) determines that such a waiver is in the national security interests of the United States; and

(2) on or before the date on which the waiver takes effect, submits to the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate and the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives a notice of and a justification for the waiver.

(d) Regulatory authority

The President shall issue such regulations, licenses, and orders as are necessary to carry out this section.

(Pub. L. 113–95, § 9, Apr. 3, 2014, 128 Stat. 1094.)

REFERENCES IN TEXT

The International Emergency Economic Powers Act, referred to in subsec. (b)(1)(A), (3)(B), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50, War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

§ 8909. Repealed. Pub. L. 113–291, div. A, title XII, § 1245(e), Dec. 19, 2014, 128 Stat. 3568

Section, Pub. L. 113–95, §10, Apr. 3, 2014, 128 Stat. 1096, related to annual report on military and security developments involving the Russian Federation and was superseded by Pub. L. 113–291, div. A, title XII, §1245, Dec. 19, 2014, 128 Stat. 3566, which is not classified to the Code.

CHAPTER 96A—UKRAINE FREEDOM SUPPORT

Sec.	
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§ 8921. Definitions

In this chapter:

(1) Account; correspondent account; payable-through account

The terms “account”, “correspondent account”, and “payable-through account” have the meanings given those terms in section 5318A of title 31.

(2) Appropriate congressional committees

The term “appropriate congressional committees” means—

(A) the Committee on Foreign Relations and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Financial Services of the House of Representatives.

(3) Defense article; defense service; training

The terms “defense article”, “defense service”, and “training” have the meanings given those terms in section 2794 of this title.

(4) Financial institution

The term “financial institution” means a financial institution specified in subparagraph (A), (B), (C), (D), (E), (F), (G), (H), (I), (J), (M), or (Y) of section 5312(a)(2) of title 31.

(5) Foreign financial institution

The term “foreign financial institution” has the meaning given that term in section 561.308 of title 31, Code of Federal Regulations (or any corresponding similar regulation or ruling).

(6) Foreign person

The term “foreign person” means any individual or entity that is not a United States citizen, a permanent resident alien, or an entity organized under the laws of the United States or any jurisdiction within the United States.

(7) Knowingly

The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(8) Russian person

The term “Russian person” means—

(A) an individual who is a citizen or national of the Russian Federation; or

(B) an entity organized under the laws of the Russian Federation.

(9) Special Russian crude oil project

The term “special Russian crude oil project” means a project intended to extract crude oil from—

(A) the exclusive economic zone of the Russian Federation in waters more than 500 feet deep;

(B) Russian Arctic offshore locations; or

(C) shale formations located in the Russian Federation.

(Pub. L. 113–272, § 2, Dec. 18, 2014, 128 Stat. 2952.)

SHORT TITLE

Pub. L. 113–272, § 1(a), Dec. 18, 2014, 128 Stat. 2952, provided that: “This Act [enacting this chapter] may be cited as the ‘Ukraine Freedom Support Act of 2014.’”

§ 8922. Statement of policy regarding Ukraine

It is the policy of the United States to further assist the Government of Ukraine in restoring its sovereignty and territorial integrity to deter the Government of the Russian Federation from further destabilizing and invading Ukraine and other independent countries in Central and

Eastern Europe, the Caucasus, and Central Asia. That policy shall be carried into effect, among other things, through a comprehensive effort, in coordination with allies and partners of the United States where appropriate, that includes economic sanctions, diplomacy, assistance for the people of Ukraine, and the provision of military capabilities to the Government of Ukraine that will enhance the ability of that Government to defend itself and to restore its sovereignty and territorial integrity in the face of unlawful actions by the Government of the Russian Federation.

(Pub. L. 113–272, § 3, Dec. 18, 2014, 128 Stat. 2953.)

§ 8923. Sanctions relating to the defense and energy sectors of the Russian Federation**(a) Sanctions relating to the defense sector****(1) Rosoboronexport**

Except as provided in subsection (d), not later than 30 days after December 18, 2014, the President shall impose 3 or more of the sanctions described in subsection (c) with respect to Rosoboronexport.

(2) Russian producers, transferors, or brokers of defense articles

Except as provided in subsection (d), on and after the date that is 45 days after December 18, 2014, the President shall impose 3 or more of the sanctions described in subsection (c) with respect to a foreign person the President determines—

(A) is an entity—

(i) owned or controlled by the Government of the Russian Federation or owned or controlled by nationals of the Russian Federation; and

(ii) that—

(I) knowingly manufactures or sells defense articles transferred into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country;

(II) transfers defense articles into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country; or

(III) brokers or otherwise assists in the transfer of defense articles into Syria or into the territory of a specified country without the consent of the internationally recognized government of that country; or

(B) knowingly, on or after December 18, 2014, assists, sponsors, or provides financial, material, or technological support for, or goods or services to or in support of, an entity described in subparagraph (A) with respect to an activity described in clause (ii) of that subparagraph.

(3) Specified country defined**(A) In general**

In this subsection, the term “specified country” means—

(i) Ukraine, Georgia, and Moldova; and

(ii) any other country designated by the President as a country of significant concern for purposes of this subsection, such as Poland, Lithuania, Latvia, Estonia, and the Central Asia republics.

(B) Notice to Congress

The President shall notify the appropriate congressional committees in writing not later than 15 days before—

(i) designating a country as a country of significant concern under subparagraph (A)(ii); or

(ii) terminating a designation under that subparagraph, including the termination of any such designation pursuant to subsection (h).

(b) Sanctions related to the energy sector

(1) Development of special Russian crude oil projects

Except as provided in subsection (d), on and after the date that is 45 days after December 18, 2014, the President may impose 3 or more of the sanctions described in subsection (c) with respect to a foreign person if the President determines that the foreign person knowingly makes a significant investment in a special Russian crude oil project.

(2) Authorization for extension of licensing limitations on certain equipment

The President, through the Bureau of Industry and Security of the Department of Commerce or the Office of Foreign Assets Control of the Department of the Treasury, as appropriate, may impose additional licensing requirements for or other restrictions on the export or reexport of items for use in the energy sector of the Russian Federation, including equipment used for tertiary oil recovery.

(3) Contingent sanction relating to Gazprom

If the President determines that Gazprom is withholding significant natural gas supplies from member countries of the North Atlantic Treaty Organization, or further withholds significant natural gas supplies from countries such as Ukraine, Georgia, or Moldova, the President shall, not later than 45 days after making that determination, impose the sanction described in subsection (c)(7) and at least one additional sanction described in subsection (c) with respect to Gazprom.

(c) Sanctions described

The sanctions the President may impose with respect to a foreign person under subsection (a) or (b) are the following:

(1) Export-Import Bank assistance

The President may direct the Export-Import Bank of the United States not to approve the issuance of any guarantee, insurance, extension of credit, or participation in the extension of credit in connection with the export of any goods or services to the foreign person.

(2) Procurement sanction

The President may prohibit the head of any executive agency (as defined in section 133 of title 41) from entering into any contract for the procurement of any goods or services from the foreign person.

(3) Arms export prohibition

The President may prohibit the exportation or provision by sale, lease or loan, grant, or other means, directly or indirectly, of any defense article or defense service to the foreign person and the issuance of any license or other approval to the foreign person under section 2778 of this title.

(4) Dual-use export prohibition

The President may prohibit the issuance of any license and suspend any license for the transfer to the foreign person of any item the export of which is controlled under the Export Administration Act of 1979 (50 U.S.C. App. 2401 et seq.)¹ (as in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)) or the Export Administration Regulations under subchapter C of chapter VII of title 15, Code of Federal Regulations.

(5) Property transactions

The President may, pursuant to such regulations as the President may prescribe, prohibit any person from—

(A) acquiring, holding, withholding, using, transferring, withdrawing, transporting, or exporting any property that is subject to the jurisdiction of the United States and with respect to which the foreign person has any interest;

(B) dealing in or exercising any right, power, or privilege with respect to such property; or

(C) conducting any transaction involving such property.

(6) Banking transactions

The President may, pursuant to such regulations as the President may prescribe, prohibit any transfers of credit or payments between financial institutions or by, through, or to any financial institution, to the extent that such transfers or payments are subject to the jurisdiction of the United States and involve any interest of the foreign person.

(7) Prohibition on investment in equity or debt of sanctioned person

The President may, pursuant to such regulations as the President may prescribe, prohibit any United States person from transacting in, providing financing for, or otherwise dealing in—

(A) debt—

(i) of longer than 30 days' maturity of a foreign person with respect to which sanctions are imposed under subsection (a) or of longer than 90 days' maturity of a foreign person with respect to which sanctions are imposed under subsection (b); and

(ii) issued on or after the date on which such sanctions are imposed with respect to the foreign person; or

(B) equity of the foreign person issued on or after that date.

¹ See References in Text note below.

(8) Exclusion from the United States and revocation of visa or other documentation

In the case of a foreign person who is an individual, the President may direct the Secretary of State to deny a visa to, and the Secretary of Homeland Security to exclude from the United States, the foreign person, subject to regulatory exceptions to permit the United States to comply with the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, or other applicable international obligations.

(9) Sanctions on principal executive officers

In the case of a foreign person that is an entity, the President may impose on the principal executive officer or officers of the foreign person, or on individuals performing similar functions and with similar authorities as such officer or officers, any of the sanctions described in this subsection applicable to individuals.

(d) Exceptions

(1) Importation of goods

(A) In general

The authority to block and prohibit all transactions in all property and interests in property under subsection (c)(5) shall not include the authority to impose sanctions on the importation of goods.

(B) Good defined

In this paragraph, the term “good” has the meaning given that term in section 16 of the Export Administration Act of 1979 (50 U.S.C. App. 2415)¹ (as continued in effect pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.)).

(2) Additional exceptions

The President shall not be required to apply or maintain the sanctions under subsection (a) or (b)—

(A) in the case of procurement of defense articles or defense services under existing contracts, subcontracts, or other business agreements, including ancillary or incidental contracts for goods, or for services or funding (including necessary financial services) associated with such goods, as necessary to give effect to such contracts, subcontracts, or other business agreements, and the exercise of options for production quantities to satisfy requirements essential to the national security of the United States—

(i) if the President determines in writing that—

(I) the foreign person to which the sanctions would otherwise be applied is a sole source supplier of the defense articles or services;

(II) the defense articles or services are essential;

(III) alternative sources are not readily or reasonably available; and

(IV) the national interests of the United States would be adversely affected by the application or maintenance of such sanctions; or

(ii) if the President determines in writing that—

(I) such articles or services are essential to the national security under defense coproduction agreements; and

(II) the national interests of the United States would be adversely affected by the application or maintenance of such sanctions;

(B) in the case of procurement, to eligible products, as defined in section 2518(4) of title 19, of any foreign country or instrumentality designated under section 2511(b)(1) of title 19;

(C) to products, technology, or services provided under contracts, subcontracts, or other business agreements (including ancillary or incidental contracts for goods, or for services or funding (including necessary financial services) associated with such goods, as necessary to give effect to such contracts, subcontracts, or other business agreements) entered into before the date on which the President publishes in the Federal Register the name of the foreign person with respect to which the sanctions are to be imposed;

(D) to—

(i) spare parts that are essential to United States products or production;

(ii) component parts, but not finished products, essential to United States products or production; or

(iii) routine servicing and maintenance of United States products, to the extent that alternative sources are not readily or reasonably available;

(E) to information and technology essential to United States products or production; or

(F) to food, medicine, medical devices, or agricultural commodities (as those terms are defined in section 8511 of this title).

(e) National security waiver

(1) In general

The President may waive the application of sanctions under subsection (a) or (b) with respect to a foreign person if the President—

(A) determines that the waiver is in the national security interest of the United States; and

(B) submits to the appropriate congressional committees a report on the determination and the reasons for the determination.

(2) Form of report

The report required by paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(f) Transaction-specific national security waiver

(1) In general

The President may waive the application of sanctions under subsection (a) or (b) with respect to a specific transaction if the President—

(A) determines that the transaction is in the national security interest of the United States; and

(B) submits to the appropriate congressional committees a detailed report on the

determination and the specific reasons for the determination that a waiver with respect to the transaction is necessary and appropriate.

(2) Form of report

The report required by paragraph (1)(B) shall be submitted in unclassified form, but may include a classified annex.

(g) Implementation; penalties

(1) Implementation

The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out the purposes of this section.

(2) Penalties

The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, or conspires to violate, or causes a violation of, subsection (a) or (b) of this section, or an order or regulation prescribed under either such subsection, to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of the International Emergency Economic Powers Act.

(h) Termination

(1) In general

Except as provided in paragraph (2), this section, and sanctions imposed under this section, shall terminate on the date on which the President submits to the appropriate congressional committees a certification that the Government of the Russian Federation has ceased ordering, controlling, or otherwise directing, supporting, or financing, significant acts intended to undermine the peace, security, stability, sovereignty, or territorial integrity of Ukraine, including through an agreement between the appropriate parties.

(2) Applicability with respect to Syria

The termination date under paragraph (1) shall not apply with respect to the provisions of subsection (a) relating to the transfer of defense articles into Syria or sanctions imposed pursuant to such provisions.

(Pub. L. 113–272, § 4, Dec. 18, 2014, 128 Stat. 2953.)

TERMINATION OF SECTION

For termination of section, see subsection (h) of this section.

REFERENCES IN TEXT

The Export Administration Act of 1979, referred to in subsec. (c)(4), is Pub. L. 96–72, Sept. 29, 1979, 93 Stat. 503, which was classified principally to section 2401 et seq. of the former Appendix to Title 50, War and National Defense, prior to editorial reclassification and renumbering as chapter 56 (§4601 et seq.) of Title 50. Section 16 of the Act is now classified to section 4618 of Title 50. For complete classification of this Act to the Code, see Tables.

The International Emergency Economic Powers Act, referred to in subsecs. (c)(4) and (d)(1)(B), is title II of Pub. L. 95–223, Dec. 28, 1977, 91 Stat. 1626, which is classified generally to chapter 35 (§1701 et seq.) of Title 50,

War and National Defense. For complete classification of this Act to the Code, see Short Title note set out under section 1701 of Title 50 and Tables.

§ 8924. Sanctions on Russian and other foreign financial institutions

(a) Facilitation of certain defense- and energy-related transactions

The President may impose the sanction described in subsection (c) with respect to a foreign financial institution that the President determines knowingly engages, on or after December 18, 2014, in significant transactions involving activities described in subparagraph (A)(ii) or (B) of section 8923(a)(2) of this title or paragraph (1) or (3) of section 8923(b) of this title for persons with respect to which sanctions are imposed under section 8923 of this title.

(b) Facilitation of financial transactions on behalf of specially designated nationals

The President may impose the sanction described in subsection (c) with respect to a foreign financial institution if the President determines that the foreign financial institution has, on or after the date that is 180 days after December 18, 2014, knowingly facilitated a significant financial transaction on behalf of any Russian person included on the list of specially designated nationals and blocked persons maintained by the Office of Foreign Assets Control of the Department of the Treasury, pursuant to—

- (1) this chapter;
- (2) Executive Order No. 13660 (79 Fed. Reg. 13,493), 13661 (79 Fed. Reg. 15,535), or 13662 (79 Fed. Reg. 16,169); or
- (3) any other Executive order addressing the crisis in Ukraine.

(c) Sanction described

The sanction described in this subsection is, with respect to a foreign financial institution, a prohibition on the opening, and a prohibition or the imposition of strict conditions on the maintaining, in the United States of a correspondent account or a payable-through account by the foreign financial institution.

(d) National security waiver

The President may waive the application of sanctions under this section with respect to a foreign financial institution if the President—

- (1) determines that the waiver is in the national security interest of the United States; and
- (2) submits to the appropriate congressional committees a report on the determination and the reasons for the determination.

(e) Implementation; penalties

(1) Implementation

The President may exercise all authorities provided under sections 1702 and 1704 of title 50 to carry out the purposes of this section.

(2) Penalties

The penalties provided for in subsections (b) and (c) of section 1705 of title 50 shall apply to a person that violates, attempts to violate, or conspires to violate, or causes a violation of, subsection (a) or (b) of this section, or an order or regulation prescribed under either such sub-

section, to the same extent that such penalties apply to a person that commits an unlawful act described in section 1705(a) of title 50.

(f) Termination

This section, and sanctions imposed under this section, shall terminate on the date on which the President submits to the appropriate congressional committees the certification described in section 8923(h) of this title.

(Pub. L. 113–272, § 5, Dec. 18, 2014, 128 Stat. 2958.)

TERMINATION OF SECTION

For termination of section, see subsection (f) of this section.

REFERENCES IN TEXT

Executive Order No. 13660, referred to in subsec. (b)(2), is Ex. Ord. No. 13660, Mar. 6, 2014, 79 F.R. 13493, which is listed in a table under section 1701 of Title 50, War and National Defense.

Executive Order No. 13661, referred to in subsec. (b)(2), is Ex. Ord. No. 13661, Mar. 16, 2014, 79 F.R. 15535, which is listed in a table under section 1701 of Title 50, War and National Defense.

Executive Order No. 13662, referred to in subsec. (b)(2), is Ex. Ord. No. 13662, Mar. 20, 2014, 79 F.R. 16169, which is listed in a table under section 1701 of Title 50, War and National Defense.

§ 8925. Increased military assistance for the Government of Ukraine

(a) In general

The President is authorized to provide defense articles, defense services, and training to the Government of Ukraine for the purpose of countering offensive weapons and reestablishing the sovereignty and territorial integrity of Ukraine, including anti-tank and anti-armor weapons, crew weapons and ammunition, counter-artillery radars to identify and target artillery batteries, fire control, range finder, and optical and guidance and control equipment, tactical troop-operated surveillance drones, and secure command and communications equipment, pursuant to the provisions of the Arms Export Control Act (22 U.S.C. 2751 et seq.), the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.), and other relevant provisions of law.

(b) Report required

Not later than 60 days after December 18, 2014, the President shall submit a report detailing the anticipated defense articles, defense services, and training to be provided pursuant to this section and a timeline for the provision of such defense articles, defense services, and training, to—

(1) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Armed Services of the House of Representatives.

(c) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the Secretary of State \$100,000,000 for fiscal year 2015, \$125,000,000 for fiscal year 2016, and \$125,000,000 for fiscal year 2017 to carry out activities under this section.

(2) Availability of amounts

Amounts authorized to be appropriated pursuant to paragraph (1) shall remain available for obligation and expenditure through the end of fiscal year 2018.

(d) Authority for the use of funds

The funds made available pursuant to subsection (c) for provision of defense articles, defense services, and training may be used to procure such articles, services, and training from the United States Government or other appropriate sources.

(e) Protection of civilians

It is the sense of Congress that the Government of Ukraine should take all appropriate steps to protect civilians.

(Pub. L. 113–272, § 6, Dec. 18, 2014, 128 Stat. 2959.)

REFERENCES IN TEXT

The Arms Export Control Act, referred to in subsec. (a), is Pub. L. 90–629, Oct. 22, 1968, 82 Stat. 1320, which is classified principally to chapter 39 (§ 2751 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2751 of this title and Tables.

The Foreign Assistance Act of 1961, referred to in subsec. (a), is Pub. L. 87–195, Sept. 4, 1961, 75 Stat. 424, which is classified principally to chapter 32 (§ 2151 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2151 of this title and Tables.

DELEGATION OF AUTHORITY UNDER THE UKRAINE
FREEDOM SUPPORT ACT OF 2014

Memorandum of President of the United States, Feb. 19, 2015, 80 F.R. 12071, provided:

Memorandum for the Secretary of State

By the authority vested in me as President by the Constitution and the laws of the United States of America, including section 301 of title 3, United States Code, I hereby order as follows:

I hereby delegate to the Secretary of State the authority to prepare and submit to the Congress the reports and strategies required by subsections 6(b), 7(d), 9(c), and 10(c) of the Ukraine Freedom Support Act of 2014 (Public Law 113–272) (the “Act”).

Any reference in this memorandum to the Act shall be deemed to be a reference to any future Act that is the same or substantially the same as such provision.

BARACK OBAMA.

§ 8926. Expanded nonmilitary assistance for Ukraine

(a) Assistance to internally displaced people in Ukraine

(1) In general

Not later than 30 days after December 18, 2014, the Secretary of State shall submit a plan, including actions by the United States Government, other governments, and international organizations, to meet the need for protection of and assistance for internally displaced persons in Ukraine, to—

(A) the Committee on Foreign Relations, the Committee on Appropriations, and the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Foreign Affairs, the Committee on Appropriations, and the Committee on Energy and Commerce of the House of Representatives.

(2) Elements

The plan required by paragraph (1) should include, as appropriate, activities in support of—

(A) helping to establish a functional and adequately resourced central registration system in Ukraine that can ensure coordination of efforts to provide assistance to internally displaced persons in different regions;

(B) encouraging adoption of legislation in Ukraine that protects internally displaced persons from discrimination based on their status and provides simplified procedures for obtaining the new residency registration or other official documentation that is a prerequisite to receiving appropriate social payments under the laws of Ukraine, such as pensions and disability, child, and unemployment benefits; and

(C) helping to ensure that information is available to internally displaced persons about—

(i) government agencies and independent groups that can provide assistance to such persons in various regions; and

(ii) evacuation assistance available to persons seeking to flee armed conflict areas.

(3) Assistance through international organizations

The President shall instruct the United States permanent representative or executive director, as the case may be, to the relevant United Nations voluntary agencies, including the United Nations High Commissioner for Refugees and the United Nations Office for the Coordination of Humanitarian Affairs, and other appropriate international organizations, to use the voice and vote of the United States to support appropriate assistance for internally displaced persons in Ukraine.

(b) Assistance to the defense sector of Ukraine

The Secretary of State and the Secretary of Defense should assist entities in the defense sector of Ukraine to reorient exports away from customers in the Russian Federation and to find appropriate alternative markets for those entities in the defense sector of Ukraine that have already significantly reduced exports to and cooperation with entities in the defense sector of the Russian Federation.

(c) Assistance to address the energy crisis in Ukraine**(1) Emergency energy assistance****(A) Plan required**

The Secretary of State and the Secretary of Energy, in collaboration with the Administrator of the United States Agency for International Development and the Administrator of the Federal Emergency Management Agency, shall work with officials of the Government of Ukraine to develop a short-term emergency energy assistance plan designed to help Ukraine address the potentially severe short-term heating fuel and electricity shortages facing Ukraine in 2014 and 2015.

(B) Elements

The plan required by subparagraph (A) should include strategies to address heating

fuel and electricity shortages in Ukraine, including, as appropriate—

(i) the acquisition of short-term, emergency fuel supplies;

(ii) the repair or replacement of infrastructure that could impede the transmission of electricity or transportation of fuel;

(iii) the prioritization of the transportation of fuel supplies to the areas where such supplies are needed most;

(iv) streamlining emergency communications throughout national, regional, and local governments to manage the potential energy crisis resulting from heating fuel and electricity shortages;

(v) forming a crisis management team within the Government of Ukraine to specifically address the potential crisis, including ensuring coordination of the team's efforts with the efforts of outside governmental and nongovernmental entities providing assistance to address the potential crisis; and

(vi) developing a public outreach strategy to facilitate preparation by the population and communication with the population in the event of a crisis.

(C) Assistance

The Secretary of State, the Secretary of Energy, and the Administrator of the United States Agency for International Development are authorized to provide assistance in support of, and to invest in short-term solutions for, enabling Ukraine to secure the energy safety of the people of Ukraine during 2014 and 2015, including through—

(i) procurement and transport of emergency fuel supplies, including reverse pipeline flows from Europe;

(ii) provision of technical assistance for crisis planning, crisis response, and public outreach;

(iii) repair of infrastructure to enable the transport of fuel supplies;

(iv) repair of power generating or power transmission equipment or facilities;

(v) procurement and installation of compressors or other appropriate equipment to enhance short-term natural gas production;

(vi) procurement of mobile electricity generation units;

(vii) conversion of natural gas heating facilities to run on other fuels, including alternative energy sources; and

(viii) provision of emergency weatherization and winterization materials and supplies.

(2) Reduction of Ukraine's reliance on energy imports**(A) Plans required**

The Secretary of State, in collaboration with the Secretary of Energy and the Administrator of the United States Agency for International Development, shall work with officials of the Government of Ukraine to develop medium- and long-term plans to increase energy production and efficiency to

increase energy security by helping Ukraine reduce its dependence on natural gas imported from the Russian Federation.

(B) Elements

The medium- and long-term plans required by subparagraph (A) should include strategies, as appropriate, to—

- (i) improve corporate governance and unbundling of state-owned oil and gas sector firms;
- (ii) increase production from natural gas fields and from other sources, including renewable energy;
- (iii) license new oil and gas blocks transparently and competitively;
- (iv) modernize oil and gas upstream infrastructure; and
- (v) improve energy efficiency.

(C) Prioritization

The Secretary of State, the Administrator of the United States Agency for International Development, and the Secretary of Energy should, during fiscal years 2015 through 2018, work with other donors, including multilateral agencies and nongovernmental organizations, to prioritize, to the extent practicable and as appropriate, the provision of assistance from such donors to help Ukraine to improve energy efficiency, increase energy supplies produced in Ukraine, and reduce reliance on energy imports from the Russian Federation, including natural gas.

(D) Authorization of appropriations

There are authorized to be appropriated \$50,000,000 in the aggregate for fiscal years 2016 through 2018 to carry out activities under this paragraph.

(3) Support from the Overseas Private Investment Corporation

The Overseas Private Investment Corporation shall—

- (A) prioritize, to the extent practicable, support for investments to help increase energy efficiency, develop domestic oil and natural gas reserves, improve and repair electricity infrastructure, and develop renewable and other sources of energy in Ukraine; and
- (B) implement procedures for expedited review and, as appropriate, approval, of applications by eligible investors (as defined in section 2198 of this title) for loans, loan guarantees, and insurance for such investments.

(4) Support by the World Bank Group and the European Bank for Reconstruction and Development

The President shall, to the extent practicable and as appropriate, direct the United States Executive Directors of the World Bank Group and the European Bank for Reconstruction and Development to use the voice, vote, and influence of the United States to encourage the World Bank Group and the European Bank for Reconstruction and Development and other international financial institutions—

- (A) to invest in, and increase their efforts to promote investment in, projects to im-

prove energy efficiency, improve and repair electricity infrastructure, develop domestic oil and natural gas reserves, and develop renewable and other sources of energy in Ukraine; and

- (B) to stimulate private investment in such projects.

(d) Assistance to civil society in Ukraine

(1) In general

The Secretary of State and the Administrator of the United States Agency for International Development shall, directly or through nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, and related organizations—

- (A) strengthen the organizational and operational capacity of democratic civil society in Ukraine;
- (B) support the efforts of independent media outlets to broadcast, distribute, and share information in all regions of Ukraine;
- (C) counter corruption and improve transparency and accountability of institutions that are part of the Government of Ukraine; and
- (D) provide support for democratic organizing and election monitoring in Ukraine.

(2) Strategy required

Not later than 60 days after December 18, 2014, the President shall submit a strategy to carry out the activities described in paragraph (1) to—

- (A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and
- (B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(3) Authorization of appropriations

There are authorized to be appropriated to the Secretary of State \$20,000,000 for fiscal year 2016 to carry out this subsection.

(4) Transparency requirements

Any assistance provided pursuant to this subsection shall be conducted in as transparent of a manner as possible, consistent with the nature and goals of this subsection. The President shall provide a briefing on the activities funded by this subsection at the request of the committees specified in paragraph (2).

(Pub. L. 113–272, § 7, Dec. 18, 2014, 128 Stat. 2960.)

DELEGATION OF FUNCTIONS

Functions of President under subsec. (d) of this section delegated to Secretary of State by Memorandum of President of the United States, Feb. 19, 2015, 80 F.R. 12071, set out as a note under section 8925 of this title.

§ 8927. Expanded broadcasting in countries of the former Soviet Union

(a) In general

Not later than 90 days after December 18, 2014, the Chairman of the Broadcasting Board of Governors shall submit to Congress a plan, includ-

ing a cost estimate, for immediately and substantially increasing, and maintaining through fiscal year 2017, the quantity of Russian-language broadcasting into the countries of the former Soviet Union funded by the United States in order to counter Russian Federation propaganda.

(b) Prioritization of broadcasting into Ukraine, Georgia, and Moldova

The plan required by subsection (a) shall prioritize broadcasting into Ukraine, Georgia, and Moldova by the Voice of America and Radio Free Europe/Radio Liberty.

(c) Additional priorities

In developing the plan required by subsection (a), the Chairman shall consider—

- (1) near-term increases in Russian-language broadcasting for countries of the former Soviet Union (other than the countries specified in subsection (b)), including Latvia, Lithuania, and Estonia; and
- (2) increases in broadcasting in other critical languages, including Ukrainian and Romanian languages.

(d) Broadcasting defined

In this section, the term “broadcasting” means the distribution of media content via radio broadcasting, television broadcasting, and Internet-based platforms, among other platforms.

(e) Authorization of appropriations

(1) In general

There are authorized to be appropriated to the Broadcasting Board of Governors \$10,000,000 for each of fiscal years 2016 through 2018 to carry out activities under this section.

(2) Supplement not supplant

Amounts authorized to be appropriated pursuant to paragraph (1) shall supplement and not supplant other amounts made available for activities described in this section.

(Pub. L. 113–272, § 8, Dec. 18, 2014, 128 Stat. 2964.)

§ 8928. Support for Russian democracy and civil society organizations

(a) In general

The Secretary of State shall, directly or through nongovernmental or international organizations, such as the Organization for Security and Co-operation in Europe, the National Endowment for Democracy, and related organizations—

- (1) improve democratic governance, transparency, accountability, rule of law, and anti-corruption efforts in the Russian Federation;
- (2) strengthen democratic institutions and political and civil society organizations in the Russian Federation;
- (3) expand uncensored Internet access in the Russian Federation; and
- (4) expand free and unfettered access to independent media of all kinds in the Russian Federation, including through increasing United States Government-supported broadcasting activities, and assist with the protection of journalists and civil society activists who have been targeted for free speech activities.

(b) Authorization of appropriations

There are authorized to be appropriated to the Secretary of State \$20,000,000 for each of fiscal years 2016 through 2018 to carry out the activities set forth in subsection (a).

(c) Strategy requirement

Not later than 60 days after December 18, 2014, the President shall submit a strategy to carry out the activities set forth in subsection (a) to—

- (1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and
- (2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(d) Transparency requirements

Any assistance provided pursuant to this section shall be conducted in as transparent of a manner as possible, consistent with the nature and goals of this section. The President shall provide a briefing on the activities funded by this section at the request of the committees specified in subsection (c).

(Pub. L. 113–272, § 9, Dec. 18, 2014, 128 Stat. 2964.)

DELEGATION OF FUNCTIONS

Functions of President under subsec. (c) of this section delegated to Secretary of State by Memorandum of President of the United States, Feb. 19, 2015, 80 F.R. 12071, set out as a note under section 8925 of this title.

§ 8929. Report on non-compliance by the Russian Federation of its obligations under the INF Treaty

(a) Findings

Congress makes the following findings:

- (1) The Russian Federation is in violation of its obligations under the Treaty between the United States of America and the Union of Soviet Socialist Republics on the Elimination of Their Intermediate-Range and Shorter-Range Missiles, signed at Washington December 8, 1987, and entered into force June 1, 1988 (commonly referred to as the “Intermediate-Range Nuclear Forces Treaty” or “INF Treaty”).
- (2) This behavior poses a threat to the United States, its deployed forces, and its allies.

(b) Sense of Congress

It is the sense of Congress that—

- (1) the President should hold the Russian Federation accountable for being in violation of its obligations under the INF Treaty; and
- (2) the President should demand the Russian Federation completely and verifiably eliminate the military systems that constitute the violation of its obligations under the INF Treaty.

(c) Report

(1) In general

Not later than 90 days after December 18, 2014, and every 90 days thereafter, the President shall submit to the committees specified in subsection (d) a report that includes the following elements:

- (A) A description of the status of the President’s efforts, in cooperation with

United States allies, to hold the Russian Federation accountable for being in violation of its obligations under the INF Treaty and obtain the complete and verifiable elimination of its military systems that constitute the violation of its obligations under the INF Treaty.

(B) The President's assessment as to whether it remains in the national security interests of the United States to remain a party to the INF Treaty, and other related treaties and agreements, while the Russian Federation is in violation of its obligations under the INF Treaty.

(C) Notification of any deployment by the Russian Federation of a ground launched ballistic or cruise missile system with a range of between 500 and 5,500 kilometers.

(D) A plan developed by the Secretary of State, in consultation with the Director of National Intelligence and the Defense Threat Reduction Agency (DTRA), to verify that the Russian Federation has fully and completely dismantled any ground launched cruise missiles or ballistic missiles with a range of between 500 and 5,500 kilometers, including details on facilities that inspectors need access to, people inspectors need to talk with, how often inspectors need the accesses for, and how much the verification regime would cost.

(2) Form

The report required under paragraph (1) shall be submitted in unclassified form but may contain a classified annex.

(d) Committees specified

The committees specified in this subsection are—

- (1) the Committee on Foreign Relations, the Committee on Armed Services, and the Select Committee on Intelligence of the Senate; and
- (2) the Committee on Foreign Affairs, the Committee on Armed Services, and the Permanent Select Committee on Intelligence of the House of Representatives.

(Pub. L. 113-272, § 10, Dec. 18, 2014, 128 Stat. 2965.)

DELEGATION OF FUNCTIONS

Functions of President under subsec. (c) of this section delegated to Secretary of State by Memorandum of President of the United States, Feb. 19, 2015, 80 F.R. 12071, set out as a note under section 8925 of this title.

§ 8930. Rule of construction

Nothing in this chapter shall be construed as an authorization for the use of military force.

(Pub. L. 113-272, § 11, Dec. 18, 2014, 128 Stat. 2966.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act or an amendment made by this Act”, meaning Pub. L. 113-272, Dec. 18, 2014, 128 Stat. 2952, which enacted this chapter and provisions set out as a note under section 8921 of this title. Pub. L. 113-272 did not make any amendments.

CHAPTER 97—INTERNATIONAL CHILD ABDUCTION REMEDIES

Sec.
9001. Findings and declarations.

Sec.
9002. Definitions.
9003. Judicial remedies.
9004. Provisional remedies.
9005. Admissibility of documents.
9006. United States Central Authority.
9007. Costs and fees.
9008. Collection, maintenance, and dissemination of information.
9009. Office of Children's Issues.
9010. Interagency coordinating group.
9011. Authorization of appropriations.

§ 9001. Findings and declarations

(a) Findings

The Congress makes the following findings:

(1) The international abduction or wrongful retention of children is harmful to their well-being.

(2) Persons should not be permitted to obtain custody of children by virtue of their wrongful removal or retention.

(3) International abductions and retentions of children are increasing, and only concerted cooperation pursuant to an international agreement can effectively combat this problem.

(4) The Convention on the Civil Aspects of International Child Abduction, done at The Hague on October 25, 1980, establishes legal rights and procedures for the prompt return of children who have been wrongfully removed or retained, as well as for securing the exercise of visitation rights. Children who are wrongfully removed or retained within the meaning of the Convention are to be promptly returned unless one of the narrow exceptions set forth in the Convention applies. The Convention provides a sound treaty framework to help resolve the problem of international abduction and retention of children and will deter such wrongful removals and retentions.

(b) Declarations

The Congress makes the following declarations:

(1) It is the purpose of this chapter to establish procedures for the implementation of the Convention in the United States.

(2) The provisions of this chapter are in addition to and not in lieu of the provisions of the Convention.

(3) In enacting this chapter the Congress recognizes—

(A) the international character of the Convention; and

(B) the need for uniform international interpretation of the Convention.

(4) The Convention and this chapter empower courts in the United States to determine only rights under the Convention and not the merits of any underlying child custody claims.

(Pub. L. 100-300, § 2, Apr. 29, 1988, 102 Stat. 437.)

REFERENCES IN TEXT

This chapter, referred to in subsec. (b), was in the original “this Act” meaning Pub. L. 100-300, Apr. 29, 1988, 102 Stat. 437, which is classified principally to this chapter. For complete classification of this Act to the Code, see Short Title note below and Tables.

CODIFICATION

Section was formerly classified to section 11601 of Title 42, The Public Health and Welfare.